

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BREWER et al.,

Plaintiffs,

v.

TROY BILT et al.,

Defendants.

CIVIL ACTION
NO. 22-04505

SCHEDULING ORDER

AND NOW, this 11th day of January 2023, following a telephone conference with counsel for the parties, it is **ORDERED** that:

1. The case is referred to Magistrate Judge Elizabeth Hey for settlement.
2. Fact discovery shall be completed on or before **May 11, 2023**.
3. Plaintiffs shall produce their expert reports on or before **May 18, 2023**.

Defendant shall produce its expert reports on or before **June 1, 2023**. All expert discovery, including depositions, shall be completed on or before **July 10, 2023**.

4. All motions for summary judgment and *Daubert* motions, if any, shall be filed on or before **July 24, 2023**. Responses to any such motions shall be filed on or before **August 7, 2023**, and replies, if any, shall be filed on or before **August 14, 2023**.

5. All motions *in limine* shall be filed on or before **September 11, 2023**. Responses shall be filed on or before **September 19, 2023**.

6. Plaintiffs and Defendant shall file their pretrial memoranda on or before **September 27, 2023**. Pretrial memoranda shall address all of the topics listed in Local Rule of Civil Procedure 16.1(c) and the Court's Policies and Procedures.

7. A final pretrial conference and oral argument on the motions *in limine* (if necessary) will be held on **October 3, 2023, at 9:30 a.m. in Courtroom 11-A**. At the final pretrial conference, counsel shall be prepared to discuss all aspects of their pretrial memoranda. It is expected that counsel will have conferred regarding their objections to anything in the pretrial memoranda prior to the final pretrial conference, leaving for the Court only those objections the parties could not resolve. Counsel shall also bring to the pretrial conference two copies of the joint trial exhibit book described in Paragraph II.I.13 of the Court's Policies and Procedures.

8. Plaintiffs and Defendant shall file and submit to the Court on or before **October 3, 2023**, their proposed jury instructions, verdict form or special interrogatories to the jury consistent with all requirements in Paragraph II.H(d) of the Court's Policies and Procedures.

9. Trial is scheduled for **October 10, 2023, at 9:30 a.m. in Courtroom 11-A**. Counsel and all parties shall be prepared to commence trial on that date.

10. All filings, conferences, and pretrial procedures shall conform to Judge Pappert's Policies and Procedures, available at www.paed.uscourts.gov.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.